

# Legislative Reference Service

Thru Week Ending 7/02/05

NO. 4A

## CODE ENFORCEMENT

### **S-1133 BUILDING CODE & FIRE SAFETY CODE** (Polisena & Others)

This act would make several changes with regard to enforcement of the State Building Code and the State Fire Safety Code so as to provide implementation of the provisions of the National Fire Prevention Association Code. Judiciary

**S-1174Aaa LEAD HAZARD MITIGATION** (Perry & Others) This act would make amendments to the Lead Hazard Mitigation Act, and would also repeal the sunset provision of the act. Health & Human Services

### **H-6434 TAX CREDIT: FIRE CODE COMPLIANCE COSTS** (Menard & Others)

This act would allow taxpayers who incur costs to comply with the 2003 amendments to the fire safety code tax credits of \$1,000 per year for a period of 5 years. Finance

**H-6437 FIRE SAFETY CODE** (Trillo & Others) This act would create an exemption from the sprinkler requirements of the fire safety code for buildings which can provide a direct means of egress from their area, and provide for evacuation in less than one and one half minutes. Corporations

**H-6440 FIRE SAFETY CODE** (Carter) This act would exempt existing properties with hard wired fire alarm systems from changes required by the latest fire safety code. Corporations

**H-6515 FIRE ALARM SYSTEMS** (Carter) This act would mandate that the National Fire Protection Act, Section 72 entitled "National Fire Alarm Code", govern the installation and maintenance of fire alarm systems. Corporations

**H-6589 BUILDING CODE & FIRE SAFETY CODE** (Landroche & Others)

This act would make several changes with regard to enforcement of the State Building Code and the State Fire Safety Code so as to provide implementation of the provisions of the National Fire Prevention Association Code. Corporations

**H-6617 LEAD HAZARD MITIGATION** (Picard & Others) This act would make amendments to the Lead Hazard Mitigation Act, and would also repeal the sunset provision of the act. Corporations

**H-6618 LEAD HAZARD REDUCTION** (Picard & Others) This act would delay the implementation of the Lead Hazard Mitigation Act until July 1, 2006. Corporations

**EDUCATION & SCHOOLS**

**S-1044 COOPERATIVE SERVICE ARRANGEMENTS** (Fogarty & Others)

This act would require the Board of Regents for Elementary and Secondary Education to provide special grants to pay for cooperative service arrangements. Finance

**S-1060 EDUCATION EQUITY AND PROPERTY TAX RELIEF** (Sosnowski & Gallo) This act would amend the "Education Equity and Property Tax Relief Act" making it applicable to the funding of charter schools. Finance

**S-1153 EDUCATION EQUITY AND PROPERTY TAX RELIEF** (Gallo & Others) This act would extend the reporting deadline of the joint legislative committee to establish a permanent education foundation aid formula for Rhode Island from October 1, 2005 to March 15, 2006. Finance

**S-1207 RESIDENCY REQUIREMENTS** (Blais & Others) This act would permit all public school department employees to reside outside of the city/town of employment. Immediate Consideration

**H-6416 PESTICIDE CONTROL** (Fox) This act would protect children from exposure to lawn care pesticides by prohibiting the application of them at schools and day care centers. Environment & Natural Resources

**H-6421 EDUCATION EQUITY AND PROPERTY TAX RELIEF** (Shanley & Others) This act would amend the "Education Equity and Property Tax Relief Act" making it applicable to the funding of charter schools. Finance

**H-6424 COOPERATIVE SERVICE ARRANGEMENTS** (Pacheco & Church) This act would require the Board of Regents for Elementary and Secondary Education to provide special grants to pay for cooperative service arrangements. H.E.W.

**H-6439      CONSOLIDATION OF SCHOOL DISTRICTS** (Slater & Others)

This joint resolution would create an eleven (11) member special legislative commission which purpose it would be to make a comprehensive study of the consolidation of Rhode Island's school districts. H.E.W.

**H-6523      PUBLIC ACCESS DEFIBRILLATION** (Menard & Others) This act would mandate that the Department of Health purchase and distribute automated external defibrillators to public and private high schools, and to provide training in cardiopulmonary resuscitation and automated external defibrillator use. Finance

**H-6545      TEACHERS' TENURE** (Corvese) This act would change the date that a notice of dismissal of a tenured teacher in continuous service must be given by the governing body of a school to the teacher from on or before March 1<sup>st</sup> to June 1<sup>st</sup> of the school year immediately preceding the school year in which the dismissal is to be effective. Finance

**H-6566      EDUCATION EQUITY AND PROPERTY TAX RELIEF** (Ajello & Others)

This act would extend the reporting deadline of the joint legislative commission to establish a permanent education foundation aid formula for Rhode Island from October 1, 2005 to March 15, 2006. Finance

**H-6603      ALLERGIC EMERGENCIES** (Sullivan & Others) This act would add school bus drivers and monitors to the list of persons who are immune from liability when administering epinephrine for allergic reactions. H.E.W.

### **ELECTIONS**

**H-6580      RESTORATION OF VOTING RIGHTS** (Almeida) This act would provide that a person who has lost the right to vote upon a felony conviction would have that right restored when that person is discharged from incarceration. Judiciary

### **ENVIRONMENT**

**S-1152      WATER RESOURCES** (Sosnowski & Others) This act would amend language which delineates the duties of the Permanent Joint Committee on Water Resources. Environment & Agriculture

**H-6415      PESTICIDES** (Fox) This act would allow municipalities to restrict the use of pesticides used for the cosmetic care of lawn and turf. Environment & Natural Resources

**H-6416      PESTICIDE CONTROL** (Fox) This act would protect children from exposure to lawn care pesticides by prohibiting the application of them at schools and day care centers. Environment & Natural Resources

## **FINANCE & TAXATION**

### **S-970Aam VIDEO LOTTERY TERMINAL CONTRACT** (Montalbano & Connors)

This act would establish the "Property Tax Relief Reserve Fund" which purpose would be to fund increased appropriations to the distressed communities relief program and the motor vehicle excise tax phase-out. Constitutional & Gaming Issues

**S-1042 TAX CREDITS: MFAR ZONES** (Levesque & Others) This act would establish a military facility redevelopment zone tax credit to encourage the development of jobs on former military facility properties, and also in business parks which contain a majority of military or defense related businesses. Finance

### **S-1048 REAL ESTATE CONVEYANCE TAX** (Connors & Montalbano)

This act would increase the amount of monies which municipalities receive from the real estate conveyance tax from \$1.10 to \$1.40 per every \$2.00 of the face value of the stamps. Finance

**S-1081 TAX CLASSIFICATION** (Fogarty & Others) This act would provide that in the year following a revaluation or statistical revaluation or update a municipality may adopt tax rates for tangible personal property no greater than 2 ½ times the rate applicable to any other class. Commerce, Housing & Municipal Government

**S-1115 MAXIMUM LEVY** (Connors) This act would allow a city/town, when confronted with an emergency which requires a tax increase, to increase the levy. The levy could not be carried over in the next fiscal budget. Finance

**S-1190 TAX EXEMPT STATUS: STUDY** (Alves & Goodwin) This joint resolution would create a special legislative commission which purpose would be to make a comprehensive study of all aspects of the tax exempt status of institutions of higher education and the costs of municipal services for these schools. Finance

**H-6399 REAL ESTATE CONVEYANCE TAX** (Scott & McHugh) This act would increase the amount of monies which municipalities receive from the real estate conveyance tax from \$1.10 to \$1.40 per every \$2.00 of the face value of the stamps. Finance

**H-6407 REAL ESTATE CONVEYANCE TAX** (Menard & Others) This act would increase the amount of monies which municipalities receive from the real estate conveyance tax from \$1.10 to \$1.40 per every \$2.00 of the face value of the stamps. Finance

**H-6432 REAL ESTATE CONVEYANCE TAX** (Lewiss & Others) This act would increase the amount of monies which municipalities receive from the real estate conveyance tax from \$1.10 to \$1.40 per every \$2.00 of the face value of the stamps. Finance

**H-6458 TAX CLASSIFICATION** (Pacheco & Others) This act would provide that in the year following a revaluation or statistical revaluation or update a municipality may adopt tax rates for tangible personal property no greater than 2 ½ times the rate applicable to any other class. Corporations

**H-6597 MUNICIPAL ECONOMIC DEVELOPMENT ZONES** (Costantino & Others) This act would repeal the exemption from or stabilization of sales and use taxes for municipal economic development zones. Finance

**H-6634 REAL ESTATE CONVEYANCE TAX** (Pacheco & Church) This act would increase the amount of monies which municipalities receive from the real estate conveyance tax from \$1.10 to \$1.40 per every \$2.00 of the face value of the stamps. Finance

### **HOUSING**

**S-1160 LOW AND MODERATE INCOME HOUSING** (Tassoni & Others)  
This act would make amendments to various Rhode Island housing laws.  
Commerce, Housing & Municipal Government

**H-6590 LOW AND MODERATE INCOME HOUSING** (Kennedy & Others)  
This act would make amendments to various Rhode Island housing laws. Corporations

**H-6632 DISCRIMINATION IN FAMILIAL STATUS** (Sullivan & Others)  
This act would amend certain provisions of the "Rhode Island Fair Housing Practices Act" pertaining to exemptions to the requirement that the owner of a housing accommodation rent to a family with children. Corporations

### **LABOR RELATIONS**

**H-6427 ARBITRATION OF LABOR CONTROVERSIES** (Moura) This act would allow a labor arbitrator to consider the existence of past practice when the union contract contains a provision that preserves existing rights, benefits or practices between the parties. Labor

**H-6650 ARBITRATION OF LABOR CONTROVERSIES** (Handy & Faria)  
This act would limit the grounds upon which a labor arbitration award can be vacated. Labor

## **LIQUOR CONTROL & LICENSES**

**H-6388 BINGO GAMES** (Picard) This act would allow charitable organizations to increase the total prizes allowed in bingo games, not to exceed the sum of \$7,500 in any one night. Finance

**H-6452 RETAIL LIQUOR LICENSES** (Carter & Others) This act would amend the requirements and regulations of the alcohol server training program. Corporations

**H-6542 LICENSES: NOTICE AND HEARING** (McCauley) This act would exempt temporary seasonal expansion for outdoor service from the requirements of separate notice and hearing prior to issuance of certain licenses. Finance

**H-6571 SUNDAY BUSINESS** (Faria & Others) This act would permit motor vehicle dealers to open for business on Sundays. Finance

## **PUBLIC SAFETY**

**S-1036A RESIDENCY: POLICE OFFICERS & FIREFIGHTERS** (Damiani) This act would invalidate any general law, home rule charter, or ordinance which requires police officers, firefighters, and other municipal employees to reside in the city/town of employment. Commerce, Housing & Municipal Government

**S-1053 CRIMINAL OFFENSES** (Doyle & Others) This act would provide that a person who harbors a convicted and unregistered sex offender would, upon conviction, be guilty of a felony. Judiciary

**S-1117 CRIMINAL OFFENSES: HAZING** (Doyle & Others) This act would make it a felony to cause the serious bodily injury or death of a person through acts which would constitute hazing under the general laws. It also would establish a hazing prevention awareness program for public high school students. Judiciary

**S-1154 ASSESSMENT FOR POLICE AND FIRE SAFETY** (Alves & Others) This act would charge full-time students at institutions of higher education an assessment of \$100 per semester. The fee would be paid by the school to the municipality where the school is located to offset costs for police, fire, rescue and related services. Finance

**S-1155 CRIMINAL OFFENSES: CHILDREN** (Revens & Others) This act would make it illegal to sell bold indelible markers capable of defacing property to minors. Judiciary

**S-1209      DEATH BENEFITS: POLICE OFFICERS & FIREFIGHTERS** (Perry)

This act would provide that a surviving domestic partner of a deceased police officer or firefighter would be included in the definition of the word "family", and would be entitled to a one-time death benefit. Immediate Consideration

**S-1230      IMMUNITY: POLICE OFFICERS & FIREFIGHTERS** (Sheehan &

Others) This act would extend civil immunity granted to police officers and firefighters to include acts or omissions resulting in property damage which occur during the rendering of emergency care. Immediate Consideration

**H-6441      PARKING RESTRICTIONS** (Naughton & Others) This act would prohibit parking upon any crosshatched access aisle adjacent to disability parking spaces. Joint Highway Safety

**H-6442      RESIDENCY: POLICE OFFICERS & FIREFIGHTERS** (Moura & Others)

This act would invalidate provisions of any municipal ordinance or home rule charter that imposes residency requirements upon police officers or firefighters. Labor

**H-6459      EXPUNGEMENT OF CRIMINAL RECORDS** (Almeida) This act would allow an expansion of access to expunged records for law enforcement agencies and licensing authorities of any city/town under certain specified circumstances. Judiciary

**H-6495      MUTUAL AID AGREEMENTS WITH BORDERING STATES** (Long &

Others) This act would remove the restriction that the police chiefs of cities/towns only may enter mutual aid agreements with cities/towns that are adjacent to and border on the state of Rhode Island. Corporations

**H-6518      FINANCIAL RESPONSIBILITY** (Gemma & Others) This act would require law enforcement agencies which issue tickets to motorists for lack of evidence of financial responsibility to withhold submission of the traffic citations to the traffic tribunal for 24 hours in order to allow the motorists the opportunity to submit evidence of financial responsibility to the issuing police departments, which shall then withdraw the citations. Judiciary

**H-6537      CRIMINAL OFFENSES: CHILDREN** (Gemma & Others) This act would make it illegal to sell bold indelible markers capable of defacing property to minors. Judiciary

**H-6541      FIRE HYDRANTS** (McCauley) This act would prohibit the assessment of rental fees for fire hydrants. Finance

**H-6601      REFUSAL TO SUBMIT TO CHEMICAL TEST** (O'Neill & Others)

This act would increase the penalties for refusing to submit to a chemical test. Judiciary

**H-6619      LOOK-ALIKE FIREARMS** (Brien & Others) This act would make unlawful the sale of look-alike firearms unless they are either orange in color or constructed of transparent material. Judiciary

**H-6643      ELECTRONIC COMMUNICATIONS SERVICE PROVIDERS** (Singleton & Others) This act would provide law enforcement officials with the authority to obtain noncontent information from internet service providers pursuant to an administrative subpoena. Finance

**H-6658      PARKING RESTRICTIONS** (Naughton & Others) This act would prohibit parking upon any crosshatched access aisle adjacent to disability parking spaces. Read and Passed

### **TOWN & CITY CLERKS**

**H-6397      ADVERSE POSSESSION AND PRESCRIPTION** (Gemma) This act would repeal Chapter 34-7 of the General Laws in its entirety which confers rights in property established through adverse possession and prescription. Judiciary

### **MISCELLANEOUS**

**H-6408      RIGHTS-OF-WAY: PARKING** (Kilmartin & Others) This act would require cities/towns controlling land, streets and roads close to or adjacent to Coastal Resources Management Council designated rights-of-way to set out land deemed necessary for parking. Environment & Natural Resources

**H-6496      ALTERATION OF ROADWAYS** (Long & Others) This act would authorize cities/towns to require a performance bond from utilities and contractors which alter roadways in order to assure restoration of the roadway is carried out. Corporations

**H-6522      HOLIDAYS** (Gallison) This act would require municipal offices to be closed in observance of Victory Day, with the exception of essential services. Finance

**H-6541      FIRE HYDRANTS** (McCauley) This act would prohibit the assessment of rental fees for fire hydrants. Finance

**H-6663      HARBORMASTERS** (Melo & Others) This act would require all harbormasters to attend the Rhode Island Harbormaster Training Academy. Placed on House Calendar



